

**Missouri Ethics
Commission**

**Julie Allen,
Executive Director**

MEC News

VOLUME 13

JANUARY 2012

IN THIS ISSUE:

- Announcing...
- 2012 Election Checklists
- PFD Candidate & Annual Filers Deadlines
- Campaign Finance Reminders
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- SB844 Update
- Advisory Opinions

MISSION

We serve the public interest. We assist and educate the citizens of Missouri, public officials, lobbyists, and those participating in public elections. We create transparency and accountability and consistently enforce campaign finance, conflict of interest, and lobbying laws.

Announcing ...

♦ New look to MEC home page

⇒ Includes "Upcoming Events" calendar & universal log-in feature

♦ Coming Soon: Re-tooled searches

⇒ Contributions and Expenditures

⇒ Registered Candidates & Candidate Committees



2012 Election Checklists

Election Authorities:

For each election:

1. **Review** election packet received from MEC
2. **Review** Candidate Declaration form
3. **Complete** Notice to Candidate with candidate as they file
4. **E-file** candidate list within 48 hours of close of filing for candidacy
5. **Track** your candidates required to file a PFD

Candidates:

1. **File** Declaration with election authority
2. **E-file** Personal Financial Disclosure (PFD) with MEC, if required. Must be filed within 14 days of closing date for candidacy
3. **Form & register**, if required, campaign finance committee with appropriate filing officer(s)
4. **Register** for training
5. **File** campaign finance reports as required

PFD Candidate Deadlines:

April 3, 2012

Municipal Election

- ♦ Closing date—Jan 17
- ♦ PFD Due—Jan 31

August 7, 2012

Primary Election

- ♦ Closing date—Mar 27
- ♦ PFD Due—April 10

PFD Penalties:

- ♦ After 14 days—\$10 per day late fee
- ♦ After 21 days—late fee & disqualification as candidate

Campaign Finance Reminders

- ♦ If the district in which you planned to run has changed due to re-districting, update your committee by filing an amended [Statement of Committee Organization](#)
- ♦ Upcoming Reports:
 - * January Quarterly—Due Jan 17 (thru Dec 31)
 - * April Quarterly—Due Apr 16 (thru Mar 31)
- ♦ Are you a candidate for 2012? View [2012 Candidate Central](#) for information on PFD, committee requirements, campaign materials identification (paid-for-by) requirements and more!
- ♦ View [April 3, 2012 Election Deadlines & Reminders](#)
- ♦ Coming Soon: August 7, 2012 Primary Election Deadlines & Reminders

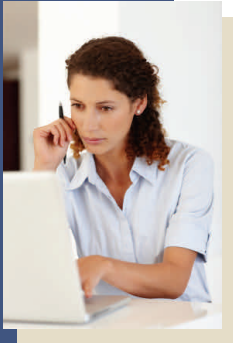
Keep email addresses current with MEC

PFD Annual Filers

If required to file a PFD due to a position held in 2011,

- ♦ E-file by May 1, 2012
- ♦ If e-filed last year, information will be carried over. Verify, make any needed changes & submit.
- ♦ Time period covered on statement: Jan 1, 2011 - Dec 31, 2011

Spotlight on Searches



Committee Information & Reports

shows information about a committee, gives access to committee reports, along with an **exciting new feature** that provides a **financial summary** based on the committee's last full disclosure report filed since 2011.

From our website, select:

- ➡ Candidates/Committees
- ➡ Under Searches...select "Committee Information and Reports"

Step-by-step process:

Select tab for... Committee

- Step 1 - Search by Committee Name &/or Candidate Name
- Step 2 - Specify by Committee Type &/or Status

Treasurer

- Step 1 - Search by Treasurer/Deputy Treasurer Name
- Step 2 - Specify by Committee Type &/or Status

Committee Type

- Step 1 - Search by Committee Type &/or Status

Training News...

NEW WEBINAR TRAINING SCHEDULE

REGISTER TODAY!

www.mec.mo.gov/training

- ♦ **Session A:** Campaign Finance Record-Keeping Webinar
- ♦ **Session B:** Campaign Finance Reporting Webinar
- ♦ **Session C:** PFD for Candidates Webinar

Email training inquiries or requests to training@mec.mo.gov

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Lobbyist

- ♦ **What is a lobbyist expenditure?** Money spent (or solicited) for public official, their staff or family or for group. See [Lobbyist FAQs](#) for more information
- ♦ **Verify** current registration info by logging-in to lobbyist e-file system
- ♦ **List of Principals & Legislative Action Report:** This is a bi-annual report.
 - * Due March 15 & May 30 of each year.
 - * File with MEC.
 - * Include general description of proposed legislative action...which the lobbyist (or lobbyist principal) supported or opposed

Lobbyist Renewal due Jan 5th to be active for 2012

2010 SB844 Update: (Ethics Law)

- ♦ The SB844 provisions of law remain in effect until a final resolution of this case on appeal with the Supreme Court, except for §130.031(13) RSMo.
- ♦ Click [SB844 Information](#) for the most recent information.

Advisory Opinions



Upon written request, the Commission issues advisory opinions about campaign finance disclosure, conflict of interest, lobbying and personal financial disclosure laws.

Recent Opinions:

2011.10.CI.005 -

County Commission members should consult §205.970 concerning the appointment of members to a SB40 Board.

2011.11.L.006 -

An association which serves as a lobbyist principal must re-

port meals, accommodations, gifts and travel costs for advocacy trips provided to the spouse of a Missouri state representative, who is a member of the association's Board of Trustees, when such expenses do not serve as compensation due to employment with the trustee.

Missouri Ethics Commission

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VOLUME 13

APRIL 2012

IN THIS ISSUE:

- Personal Financial Disclosure (PFD)
- Campaign Finance
- Spotlight on Searches
- Lobbyist
- Training Opportunities
- Advisory Opinions
- Conflict of Interest

MISSION

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Personal Financial Disclosure (PFD)

Annual Filers:

May 1st deadline for filing fast approaching! PFDs can be electronically filed, mailed or hand delivered. Reports not electronically filed must contain an original signature. (Fax copies are not accepted).

- E-file by May 1st, 5:00 p.m.
- If hand deliver must be received by our office by May 1st, 5:00 p.m.
- If mailing, must be post-marked no later than April 30th
- Time period covered is from Jan 1st, 2011 thru Dec 31st, 2011

E-file...

1. [Log-in](#) using the filer id & password provided (or [request filer account](#))
2. Complete each section
3. Submit filing

Political Subdivisions:

Verify that your designated filers have submitted their forms:

1. Go to our website
2. Log into the [Political Subdivision Filing System](#) (use your political subdivision's log-in information)
3. Check the filing status of your required filers

CANDIDATES:

- If you are required to file a Personal Financial Disclosure Statement (PFD), for the August 7th Primary Election, file by **April 10th, 2012** to avoid penalties.
- If you are an **incumbent candidate** required to file, file one form, by earliest deadline (April 10th, 2012). Time period covered is Jan 1, 2011 through March 27, 2012.

Campaign Finance

- ♦ **TIP: When does the law require you to form a campaign finance committee?**
☞ View [When to Form & Register a Committee](#) Brochure
- ♦ **TIP: Using PayPal?**
 - ⇒ Any monies received or spent using PayPal must be deposited into and spent from the official committee bank account
 - ⇒ If receiving contributions through PayPal; report entire contribution received then report expenditure to PayPal for administrative fees
- ♦ **TIP: Need help on candidate/campaign finance requirements?**
☞ View [2012 Candidate Central](#) for information on PFD, committee requirements, campaign materials identification (paid-for-by) requirements and more!
- ♦ **TIP: Has your district changed due to re-districting?**
 - ⇒ Update your committee information by filing an amended [Statement of Committee Organization](#)



Upcoming Reports:

April 3 Election

⌚ April Quarterly— Due April 16 (thru March 31)

⌚ 30 Day After— Due May 3 (thru April 28)

Jun 5 Election

⌚ 40 Day Before— Due April 26 (thru April 21)

⌚ 8 Day Before— Due May 28 (thru May 24)

⌚ 30 Day After— Due July 5 (thru June 30)

[Deadlines & Reminders for Aug 7 & Nov 6 Elections](#)

Spotlight on Searches



Contributions and Expenditures Search

Enhanced for easier navigation!

Search by:

- ♦ Contributor—
By Individual name or
Business/Organization
Name
- ♦ Expenditure—
By Company Name or

Individual Name

- ♦ Committee to
Committee—
By Committee Making or
Committee Receiving

Advanced search options are also available and results can be downloaded in Excel spreadsheet format.

Lobbyist

Upcoming Reports:

- **Lobbyist Monthly Expenditure Report**
- **List of Principals and Legislative Action** - Due May 30th. File with MEC. Include general description of proposed legislative action...which the lobbyist (or lobbyist principal) supported or opposed.

CONTACT US

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Training Opportunities

"understandable"
"informative"
"appreciated"

Choose from:

- Online webinars hosted by MEC,
- In-person trainings in Jefferson City hosted by MEC, &/or
- County/BOEC hosted events (check with host to RSVP)

REGISTER TODAY FOR WEBINAR OR REGIONAL TRAINING

www.mec.mo.gov/training

Email training inquiries or requests to training@mec.mo.gov

Advisory Opinions

Upon written request, the Commission issues advisory opinions about campaign finance disclosure, conflict of interest, lobbying and personal financial disclosure laws.

Recent Opinions:

2012.02.CF.001—

There is no provision in Chapter 130 which directly author-

izes payment of state contributions to a legal defense fund which support the payment of legal fees for a federal candidate campaign committee.

2012.03.CF.002— The President of a political luncheon club is not controlling a continuing committee according to the duties and bylaws of the club.



Conflict of Interest

Q. Can a current employee also run for office in the same political subdivision?

A. Check with the employer/HR officer.

Q. If successful, can that person continue to be employed as well as hold the elected position?

A. No, an elected official can not also be an employee of the same political subdivision. Review §105.454, 105.458 and 105.452.

IN THIS ISSUE:

- Campaign Finance Disclosure
- Personal Financial Disclosure (PFD)
- Spotlight on Searches
- Training
- Campaign Finance Reporting
- Political Subdivisions
- Conflict of Interest

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Campaign Finance Disclosure

Helpful Hints:

Reimbursements—The law requires all reimbursements to be made through the campaign finance committee's official bank account and **does not** directly account for reimbursements to individuals (§130.021.4(1) RSMo). Campaign finance committees should preplan and pay for expenses directly rather than to reimburse someone. These expenses can be paid by writing a check **directly** from the committee bank account or by using a committee debit or credit card. Items including postage, parade expenses, candy, etc., can be paid for by using a petty cash fund.

NOTE: When using a debit card, withdrawing money from an ATM is considered the use of cash; the law prohibits the use of cash except through a petty cash fund. Petty cash is limited to \$50 per expenditure.

Consulting Services—If consulting services, fees, expenses or similar professional services are used, each specific service provided and the dollar amount prorated for each service must be reported. (§130.041.4 RSMo.)

Cash—"Cash" transactions must be made through a petty cash fund and cannot be over \$50 per expenditure. Also, total cash transactions must be the lesser of \$5,000 or 10% of all expenditures made by the committee during that calendar year (§130.031.2 RSMo).

See [CE FAQs](#) for more information.

REMEMBER: Keep records for all campaign finance activity, i.e. invoices, statements, receipts, any document that pertains to activity, etc.

**See Page 2 for more
campaign finance** ➔

August 7th, 2012 Primary Election Reminders:

- ➔ A Statement of Limited Activity report ([§130.046 RSMo](#)) can be filed in lieu of a full disclosure report, IF
 - Contributions received are \$500 or less since the last disclosure report was filed
 - Expenditures made are \$500 or less since the last disclosure report was filed
 - No single contributor has contributed more than \$300 during the reporting period.
- ➔ Starting with the October Quarterly, your Receipts, Expenditures and Contributions Made will begin at zero for the general election cycle. Money on Hand and Indebtedness will continue to carry over.

Personal Financial Disclosure (PFD)

Political Subdivisions Reminders:

1. Annual Operating Budget (AOB)

In order to identify those persons required to file a PFD, every political subdivision must confirm whether their AOB is:

- Over \$1 million; or
- \$1 million or under

Cont pg 2 ➔

2. Conflict of Interest Ordinance/Resolution

If you do not adopt or re-adopt an ordinance, ALL elected, appointed, and decision making personnel, as well as candidates, are required to file a PFD.

If you do adopt a new ordinance, or re-adopt your current ordinance, the deadline is **Sept 15th**. The ordinance must be adopted (or re-adopted) at an open meeting. A certified copy must be mailed to MEC within

10 days of the adoption (or re-adoption).

See [§105.485 RSMo](#) for minimum ordinance requirements. In addition to the minimum requirements, consider including the following:

- Penalties for failure to follow ordinance;
- Filing requirements for candidates.



Spotlight on Searches



Candidate by Election Search

- offers an easy-to-read snapshot of the candidates' financial summaries for those seeking office in a specific election. This search displays information, for the election, from the most recent full disclosure report filed up through the 30-Day After Report.

Ballot Measure by Election Search

- see money spent and received by a campaign committee for an election's ballot measures.

Select specific search from our website. For campaign finance searches, select "Candidate//Committees", & scroll down to see search options.

TRAINING

Online Webinars still available for campaign finance training...

Session A: Record-Keeping

Session B: Reporting

REGISTER TODAY

www.mec.mo.gov/training or email request to training@mec.mo.gov

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Campaign Finance

REPORTING

- ☞ **July Quarterly Report**
Due July 15 (time period thru June 30)
- ☞ **8 Day before Aug 7 Election Report**
Due July 30 (time period thru July 26). **Only** required if made expenditures or contributions for August Primary Election
- ☞ Certain activity may require additional reporting; refer to [Supplement Forms](#) tutorial for more info

Political Subdivisions

(cont fr pg 1)

E-file AOB:

1. Go to our website
2. Log into the [Electronic Filing System](#) (use your political subdivision's log-in information)
3. Update subdivision contact information (if necessary)
4. Update (if necessary) AOB (you will receive an email confirmation)

Advisory Opinion [2012.07.CF.003](#)

A candidate committee must report contributions from the original contributor when a corporation forms a continuing committee and acts as an agent by receiving earmarked contributions for the candidate. The continuing committee must transfer the funds within 5 days and provide the candidate committee with the information required for compliance.

See [Deadlines & Reminders for Aug 7 Election](#) for other upcoming reports & due dates

Conflict of Interest

Q: Can an elected or appointed public official, employee, or member of the governing body conduct business with the political subdivision? (§105.454, 105.458 RSMo)

A: **Only** if the business was awarded to the public official/employee after public notice, competitive bidding and the

award was to the lowest bidder. The public official may perform a service, sale/rent/lease property, or transact business with the political subdivision for no amount greater than \$500 per transaction or \$5,000 a year without bidding/public notice. This requirement applies to officials

and employees serving in executive or administrative capacities.

See [FAQS](#) for more info.



Missouri Ethics Commission

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IN THIS ISSUE:

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- Campaign Finance Reporting
- 2013 Election News
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MEC News

VOLUME 16

OCTOBER 2012

Coming Soon...

◆ Political Subdivision Duties & Responsibilities Tutorial

- ⇒ Designed for county & city clerks, and other subdivision officials regarding their duties and responsibilities as they relate to MEC, including PFD, campaign finance committees & more

◆ Follow the Campaign Money Tutorial

- ⇒ How to use the Commission's searches to follow campaign money given to candidates and committees including the expenditures made



Campaign Finance Disclosure Reminders

- Candidates can not take office until all disclosure reports have been filed.
- *30 Day After Election Report* may be filed early for those candidates that take office before the report is due (December 6th). Ending date for report will be the day before taking office.
- If unsuccessful, and have more money on hand than debt, you **MUST** terminate the committee. If more debt than money on hand, can convert to Debt Service Committee, may only accept contributions to pay off debt, no other activity. Must file reports as required, and must file **full** disclosure reports for the *January and July Quarterly Reports* if debt is over \$5,000.

More, Pg 2

Campaign Finance Reporting:

- **October Quarterly**—Due Oct 15th (time period thru Sept 30)
- Review [Upcoming Deadlines & Reminders](#) for other election specific reports due

2013 Election News

ATTN: Officials Accepting Declarations of Candidacy

Packets for 2013 Elections coming in Oct.

- Review the packet—includes instruction letter, 2013 Guide to Ethics Law, PFD forms (AOB >\$1mil) & Notice to Candidate
- Review your Candidate Declaration form—may include wording that candidate has no outstanding reports due to the MEC.
- Remember [§130.071.2 RSMo.](#) has restrictions for candidates filing for office.

Be sure to discard all old election materials.

Political Subdivisions

- Beginning **November 7, 2012**, if AOB over \$1 million, political subdivisions will be able to [electronically](#) submit their list of required annual filers to MEC. (Emails will be received at the end of October containing password information).
- Both last year's annual filers and last year's candidates will be displayed. Carefully review each section, update each filer, and remove those no longer required to file.
- Each subdivision must notify those people whose names have been submitted. They are required to file their PFD by May 1, 2013.

Spotlight on Searches



The Commission provides several searches specific to lobbyist and their principals. From our website, select "Lobbying", and select the search option you wish to use:

Lobbyist Search - shows registered lobbyist and their monthly reports.

Select year and then search by "all lobbyists" or narrow results by entering lobbyist's last name and/or city. From result list, select "Filer ID" link to see actual report.

Principal Search - shows principals along with the lobby-

ists registered to represent them.

Search by entering Principal's name and/or city.

Lobbyist Expense—Public Official Search- shows expenses paid on behalf of a public official(s) as reported by the lobbyist.

Select the report year and month and then limit your search by selecting the public official either by recipient type, office type or person or group. View reports for official or official's employee/staff or spouse/child.

TRAINING

Online Webinars
available for campaign finance training...

Oct 11th, 10 am

**Session A:
Record-Keeping**

Oct 18th, 10 am

**Session B:
Reporting**

**REGISTER
TODAY!**

www.mec.mo.gov/training
or
email request to
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Reminder

LOBBYIST

- ⇒ **Renewal Period:** The lobbyist renewal period begins **December 1st and runs through January 5th.**
- ⇒ All lobbyist must renew their registration and pay a \$10 registration fee.
- ⇒ Lobbyists who fail to renew will be terminated effective December 31st, 2012.

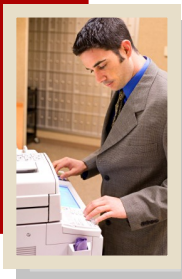
More Campaign Finance (cont fr pg 1)

FAQ: What is an *Expenditure Made to Support or Oppose a Candidate or Ballot Measure* and how is it reported? (§ 130.041.1(7), RSMo.)

Answer: An expenditure that has been made to support or oppose a candidate or ballot measure, made without the candidate's or committee's knowledge (no money was given to the candidate or committee and the money was paid directly to the vendor). *NOTE: Does not include candidate committees making expenditures only on behalf of the candidate for which their committee was formed.*

E-filers: The expenditure is initially recorded in the *Expenditures Made* section for the total amount paid and then more detail given in the *Expenditure Made to Support or Oppose a Candidate or Ballot Measure* section, reflecting the total amount paid and then providing more information about the candidate or ballot measure supported or opposed. See [Campaign Finance FAQs](#).

Use of Public Funds



Elected and public officials, their staff and employees are prohibited from using public funds to advocate, support or oppose ballot measures or candidates.

Examples: Office copiers, faxes, paper, office computers, printers, etc.

Public funds may be used to make public appearances and/or issue press releases.

(§115.646 RSMo & AG Opin 54-90)

Advisory Opinions:

The Commission issues [advisory opinions](#) which are available on our website and are searchable by topic and/or keyword. Anyone examining an advisory opinion should be careful to note that an opinion issued deals only with the specific request to which the opinion responded and only to the law as it exists at the date of the response.